
HOUSE BILL No. 1100

DIGEST OF INTRODUCED BILL

Citations Affected: None (noncode).

Synopsis: Medicaid cash and counseling waiver. Requires the office of Medicaid policy and planning to apply for a Medicaid waiver that would allow certain Medicaid eligible elderly and disabled persons to receive a cash allowance or have control of a specific budget so that they may purchase certain eligible services. (The introduced version of this bill was prepared by the select joint commission on Medicaid oversight.)

Effective: July 1, 2006.

Frizzell

January 5, 2006, read first time and referred to Committee on Public Health.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

HOUSE BILL No. 1100

A BILL FOR AN ACT concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE JULY 1, 2006] (a) As used in this
2 SECTION, "eligible Medicaid recipient" means any of the
3 following:

4 (1) An individual who is:

5 (A) at least sixty (60) years of age; and

6 (B) receiving Medicaid home and community based waiver
7 services.

8 (2) A physically or developmentally disabled individual who
9 is:

10 (A) at least eighteen (18) years of age but less than
11 sixty-five (65) years of age; and

12 (B) receiving Medicaid home and community based waiver
13 services.

14 (3) A developmentally disabled individual who is:

15 (A) at least three (3) years of age but less than eighteen (18)
16 years of age; and

17 (B) receiving Medicaid home and community based waiver
18 services.



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1 (b) As used in this SECTION, "eligible services" means care
 2 received in the home or the community by an eligible Medicaid
 3 recipient that meets the recipient's long term care needs and
 4 without which the recipient would be at risk for institutional
 5 placement.

6 (c) As used in this SECTION, "office" refers to the office of
 7 Medicaid policy and planning established by IC 12-8-6-1.

8 (d) Before January 1, 2007, the office shall apply to the United
 9 States Department of Health and Human Services for approval of
 10 a waiver (commonly referred to as the cash and counseling or cash
 11 and carrying demonstration waiver) that would allow an eligible
 12 Medicaid recipient to receive a cash allowance or have control of
 13 a specific budget so that the recipient may purchase eligible
 14 services. The office may include in the waiver request a provision
 15 that would allow the office to provide an eligible Medicaid
 16 recipient with a case manager to assist the recipient by assessing
 17 the recipient's needs and establishing the recipient's budget.

18 (e) The office may not implement the waiver until the office files
 19 an affidavit with the governor attesting that the federal waiver
 20 applied for under this SECTION is in effect. The office shall file the
 21 affidavit under this subsection not later than five (5) days after the
 22 office is notified by the United States Department of Health and
 23 Human Services that the waiver is approved.

24 (f) If the office receives approval of a waiver under this
 25 SECTION from the United States Department of Health and
 26 Human Services and the governor receives the affidavit filed under
 27 subsection (e), the office shall implement the waiver not more than
 28 sixty (60) days after the governor receives the affidavit.

29 (g) The office may adopt rules under IC 4-22-2 necessary to
 30 implement this SECTION.

31 (h) This SECTION expires December 31, 2014.

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